



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खंड II]

शिमला, शनिवार, 12 जून, 1954

[संख्या 24

भाग	विषय-सूची	पृष्ठ
भाग 1	वैधानिक नियमों को छोड़कर हिमाचल प्रदेश के उपराज्यपाल और जुडिशल कमिशनरज कोर्ट द्वारा अधिसूचनाएं इत्यादि	305—309
भाग 2	वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि	—
भाग 3	अधिनियम, विधेयक, और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उपराज्यपाल, जुडिशल कमिशनरज कोर्ट, फाइनेंशियल कमिशनर, कमिशनर आफ इनकम टैक्स द्वारा अधिसूचित आदेश इत्यादि	309—312
भाग 4	स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटीफाइड और टाउन एरिया तथा पंचायत विभाग ...	—
भाग 5	वैयक्तिक अधिसूचनाएं और विज्ञापन	—
भाग 6	भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन	312
—	अनुपूरक	—

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उपराज्यपाल और जुडिशल कमिशनरज कोर्ट द्वारा अधिसूचनाएं इत्यादि ।

HIMACHAL PRADESH GOVERNMENT

Establishment Branch

vide Himachal Pradesh Government Notification of even number, dated the 24th March, 1954.

Simla-4, the 8th June, 1954

NOTIFICATIONS

Simla-4, the 4th June, 1954

No. A-8-30/53.—Dr. (Mrs.) A. C. Parmar, Director of Health Services and Inspector General of Prisons, Himachal Pradesh Government, is granted extension of 30 (Thirty) days earned leave on medical grounds with effect from 27-5-1954 (F. N.), in continuation of 61 (Sixty-one) days earned leave granted to her

No. A-8 30/53.—Dr. D. R. Mehta, Assistant Director of Health Services (Public Health), Himachal Pradesh, who was appointed to officiate as Director of Health Services & Inspector General of Prisons, Himachal Pradesh Government, in addition to his own duties, vide Himachal Pradesh Government Notification of even number, dated the 2nd April, 1954, will continue to officiate as Director of Health Services and Inspector General of Prisons, Himachal Pradesh Government, for a further period of 30 (Thirty) days for which

extension of earned leave on medical grounds has been granted to Dr. (Mrs.) A. C. Parmar, Director of Health Services and Inspector General of Prisons, Himachal Pradesh Government, with effect from 27-5-1954 (F. N.).

R. S. BHANDARI,
for Chief Secretary.

Development Department

NOTIFICATION

Simla-4, the 5th June, 1954

No. D-108-354/53.—Dr. T. N. Bhargava, temporary C. A. S., Class I (Gazetted) in the Paonta Block, Community Project, Himachal Pradesh, appointed under this office Notification of even number, dated 19/12/53, tendered resignation from his post which is accepted with effect from the forenoon of 1st March, 1954.

M. M. CRISHNA,
Secretary.

Local Self Government

NOTIFICATION

Simla-4, the 4th June, 1954

No. (10) LR-62-26/53.—In pursuance of the provisions of section 24 of the Punjab Municipal Act, 1911, as applied to Himachal Pradesh, it is hereby notified that Shri Tej Singh Nidharak has been elected President of the Municipal Committee of Mandi in the Mandi District.

By order,
PREM RAJ MAHAJAN,
Assistant Secretary.

Medical and Health Department

NOTIFICATION

Simla-4, the 3rd June, 1954

No. M-65-161/54.—The following order of the Lieut.-Governor of Himachal Pradesh is published for general information:—

Order of the Lieutenant-Governor of the Himachal Pradesh

Simla-4, the 3rd June, 1954

No. M-65-161/54.—Whereas the Lieutenant-Governor of the Himachal Pradesh is satis-

fied that Himachal Pradesh is threatened with an outbreak of a dangerous epidemic disease, namely, CHOLERA, and that the ordinary provisions of the law for the time being in force are insufficient to prevent the spread of this disease, now, therefore, the Lieutenant-Governor of the Himachal Pradesh, in exercise of the powers conferred by section 2 of the Epidemic Diseases Act, 1897, is pleased:—

(1) To empower the Deputy Commissioners concerned within their respective districts—

- (a) to prohibit the sale or exposure for sale or the import or export of any specified articles of food or drink or class of such articles into or from any local area in the district from or into any local areas in these districts;
- (b) to order the destruction of any unwholesome article of food or drink;
- (c) to authorize any person to enter into and inspect any market, building, shop, stall or place used for the sale or free distribution of any article of food or drink and to examine any such article which may be therein, and to seize, remove, destroy or cause to be disposed of, in any manner he thinks fit so as to prevent its being used by human beings; any articles of food or drink intended for human consumption and unfit therefor;
- (d) to set apart suitable places for the supply of water for all purposes and to prohibit the use of water from any other source, and to fix the time, manner and conditions at, in and on which such supply of water may be obtained;
- (e) to order the closing or disinfecting of any source of water-supply and to prohibit the taking of water from any specified source of supply;
- (f) to order the closure of any ice factory or aerated water or mineral water factory;
- (g) to set apart suitable places for the purposes of bathing and to specify the times at which and the sex of the persons by whom, such places may be used;
- (h) to set apart suitable places for washing animals and clothes or for any other purpose connected with the health, cleanliness or comfort of the public;
- (i) to prohibit, by public notice, bathing generally by persons other than

those specified, or washing animals or clothes, or any other act at places other than those fixed for such purpose;

- (j) to fix places for the encamping of people, picketing of animals and parking of vehicles in the manner directed, and to prevent people occupying in any form lands which it may be necessary to set apart as open spaces for the health and convenience of the public;
- (k) to establish isolation camps, hospitals and medical inspection posts;
- (l) to order the removal and detention of any person suffering from, or suspected to be suffering from cholera to an isolation camp or hospital for treatment and segregation for a period not exceeding two weeks;
- (m) to fix places for the cremation or burial of dead human bodies or bodies of dead animals;
- (n) to prohibit the holding of any fair in their districts; and
- (o) to order that any specified persons or all persons within any specified area shall undergo inoculation; in the case of a minor the order shall be regarded as addressed to his/her parent or guardian and all such persons shall then be required to take inoculation.

(2) To empower the District Medical Officers, Medical Officers of Health, all Doctors under the Director of Health Services, Himachal Pradesh, any Magistrate of the first class in the district, any Superintendent of Vaccination and Sanitary Inspector in the districts—

- (a) to order the destruction of any unwholesome article of food or drink;
- (b) to order the removal and detention of any person suffering from or suspected to be suffering from cholera to an isolation camp or hospital for treatment and segregation for a period not exceeding two weeks;
- (c) to prohibit the exit from or entrance into, the cholera infected localities of marriage or funeral parties until these localities are declared free of cholera; and
- (d) to order that any specified persons or all persons within any specified area shall undergo inoculation; in the case of a minor the order shall be regarded as addressed to his/her parent or

guardian and all such persons shall then be required to take inoculation.

(3) To empower the District Medical Officers, all Doctors under the Director of Health Services, Himachal Pradesh, and all Medical Officers of Health, any Magistrate of the first class, Superintendents of Vaccination and Sanitary Inspectors and Vaccinators in Himachal to order the cleansing or disinfecting of any drains, privies, latrines, clothes, bedding or any other article which in their opinion is infected or is likely to retain infection, and the removal and disposal of or the application of suitable disinfectants to, any article, offensive matter, rubbish, nightsoil, manure or filth of any kind.

(4) That the head or any adult member of the household being cognizant of the existence in the household of a case of diarrhoea and vomiting shall report its occurrence within 24 hours of the attack of the disease to a Lambardar of the village, or to the Medical Officer Incharge, local dispensary of the town, or to the Secretary of the town committee in whose jurisdiction he or she resides, who shall then be responsible to report the matter to the District Medical Officer.

(5) To direct —

- (a) that any orders issued by the Deputy Commissioner concerned under clause (1) above shall remain in force in respect of any local area until such local area is officially declared to be free from danger of infection from cholera; and
- (b) that the cost of any measures taken by the Deputy Commissioner or any of the other officers above mentioned in exercise of the powers conferred upon them by this order, shall be defrayed by the District Medical Officer from the budget allotment of the district.

No. M-65-161/54.—Whereas the Lieut.-Governor of the Himachal Pradesh is satisfied that all the districts of Himachal Pradesh are threatened with an outbreak of a dangerous epidemic disease, namely CHOLERA, and that the ordinary provisions of the law for the time being in force are insufficient to prevent the spread of this disease, now, therefore, the Lieut.-Governor of Himachal Pradesh in exercise of the powers conferred by section 2 of the Epidemic Diseases Act, 1897, is pleased to make the following Regulations;

Regulations

1. In these regulations —

- (a) "Epidemic disease" means Cholera;

(b) "Inspection post" means any place which may be declared by the Deputy Commissioner concerned in exercise of the powers conferred upon him by Order No. M-65-161/54, dated the June, 1954, to be an inspection post ;

(c) "Inspecting Medical Officer" means a person appointed by the District Medical Officer concerned to be an inspecting medical officer.

2. Every inspecting medical officer who is unavoidably prevented from discharging all or any of his functions as such may by order in writing appoint any Assistant Surgeon, Class I or II, Superintendent of Vaccination and Sanitary Inspector temporarily to discharge such functions and every Assistant Surgeon, Superintendent of Vaccination or Vaccinator, Sanitary Inspector so appointed shall, so far as such functions are concerned, be deemed, for the purpose of these regulations, to be an inspecting medical officer.

3. An inspecting medical officer, may, at his inspection post, direct any person travelling by railway to remain in the carriage in which he is travelling or to leave the carriage in which he is travelling and come on to the platform or on to the line, and may prohibit any such person from leaving the platform or any other portion of the place of inspection.

4. (1) Any inspecting medical officer may, at his inspection post, make a medical inspection and examination of any person travelling by railway or by road in such manner and to such extent as he thinks necessary in order to ascertain whether there is any reason to believe or suspect that such person is or may be infected with an epidemic disease ; provided that such inspection or examination shall not be made in any manner or to any extent to which such person objects.

(2) An inspecting medical officer may put to any such person any question he thinks fit in order to ascertain whether there is reason to believe or suspect as aforesaid and such person shall be bound to answer truly any question so put to him.

5. Whereas the result of such inspection or examination or otherwise, the inspecting medical officer considers that there is reason to believe or that any person is or may be infected with an epidemic disease, or where any person makes any objection under the proviso to clause (1) to regulation 4, the inspecting medical officer may direct that such person be removed to and detained in any isolation camp or hospital established by the Deputy Commissioner concerned in exercise of the powers conferred upon him by Order No. M-65-161/54, dated ———— June, 1954 of the Lieut.-Governor of Himachal Pradesh until the inspecting medical officer, or the

Medical Officer incharge of such isolation camp or hospital or the District Medical Officer of the district concerned certifies in writing that, in his opinion, there is no longer any reason for believing or suspecting such person to be infected as aforesaid.

6. Any person in respect of whom a direction has not been given under regulation 5 may apply to the inspecting medical officer to be allowed to attend upon any person in respect of whom such a direction has been given, and the inspecting medical officer shall, except for reason to be recorded by him in writing, grant such application.

7. Any person who has made an application under regulation 6 and whose application has been granted shall be detained in such buildings, tent or other place whether near the inspection post or elsewhere, as the inspecting medical officer may direct until the inspecting medical officer or the medical officer incharge of an isolation camp or hospital or the District Medical Officer of the district concerned certifies in writing that, in his opinion, there is no longer any reason for detaining such person.

8. No person in respect of whom a direction under regulation 5 or 7 has been given shall leave any isolation camp or hospital in which an inspecting medical officer has directed him to be detained until such inspecting medical officer certifies in writing that, in his opinion, there is no longer any reason for believing or suspecting such person as the case may be.

9. The inspecting medical officer may order the destruction of any article which is or has been in the possession of any person in respect of whom a direction under regulation 5 or regulation 7 has been given or which is or has been in the possession of any person whom the inspecting medical officer considers to have been in dangerous proximity to such person :

Provided that compensation may, in the discretion of the officer empowered by regulation 10 to award the same, be paid for the destruction or injury of any article under this clause.

10. Applications for the payment of compensation under regulation 9 may be made to the District Magistrate of the district concerned who shall upon receipt of any such application determine by order in writing the amount of such compensation, if any, and such order shall be final.

✓ 11. These regulations shall remain in force during the period from the date of this notification upto the 31st October, 1954.

शिमला-4, 4 जून, 1954

संख्या-एम-65-1/53.—डा० आर० पी० सोहटा, सिविल एसिस्टेंट सर्जन, प्रथम श्रेणी, (राज्यपत्रित) सिविल चिकित्सालय, नाहन जिला सिरमौर, को 30 दिन का उपाजित अवकाश (वर्षा कि उनको यह अवकाश प्रमाणित रूप से दातव्य हो) 7 जून, 1954 से 6 जून के रविवार की आज्ञा सहित प्रदान किया जाता है।

शिमला-4, 5 जून, 1954

संख्या-एम-65-407/51.—उपराज्यपाल, हिमाचल प्रदेश, युनियन पब्लिक सर्विस कमिशन की अनुमति से डा० कृष्ण कान्त शर्मा, ऐम० बी० बी० एस०, सिविल एसिस्टेंट सर्जन, प्रथम श्रेणी (गनेटिड) की नियुक्ति जो कि अधिसूचना नम्बर एम-65-407/51, दिनांक 14-2-53 के द्वारा की थी, की वृद्धि 31 दिसम्बर, 1954 तक करते हैं।

आज्ञा से,
प्रेम राज महाजन,
सहायक सचिव।

Revenue Department

NOTIFICATION

Simla-4, the 3rd June, 1954

No. R-86-87/54.—Whereas it appears to the Lieutenant-Governor, Himachal Pradesh, that land is required to be taken by the Government at public expense for a public purpose, namely, for the construction of a Veterinary Hospital building with Staff quarters at Sundernagar, district Mandi, it is hereby notified that the land described below is likely to be required for the said purpose.

2. This notification is made under the provisions of Section 4 of the Land Acquisition Act, 1894, as applied to Himachal Pradesh, to all whom it may concern. In exercise of the powers conferred by the aforesaid Section, the Lieutenant-Governor, Himachal Pradesh, is pleased to authorise officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey the land in the locality and do all other acts required or permitted by that section.

3. Any person interested, who has any objection to the acquisition of any land in the locality, may within 30 days of the publication of this notification, file an objection in writing before the Collector of the Mandi District.

Specification

District: Mandi Tehsil: Sundernagar

Locality: Muhal Sundernagar.

Khasra No.	Area		
	Bigha	Bis.	B.
3413/1	0	12	0
3409/1	0	6	0
3412	0	2	0
3404	0	1	0
3403	0	16	0
3405	0	6	0
3409	0	9	0
3410	0	12	0
3411	0	5	0
Total :	3	9	0

By order,
BASANT RAI,
Assistant Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं

शून्य

भाग 3—अधिनियम, विधेयक, और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उपराज्यपाल, जुडिशल कमिशनरज कोर्ट, फाइनेन्शल कमिशनर, कमिशनर आफ इनकम टैक्स द्वारा अधिसूचित आदेश इत्यादि।

Law Department

NOTIFICATION

Dated, the 20th May 1954

No. LR-1-21/54.—In pursuance of section 33-A of the Government of Part 'C' States Act, 1951, the Lieutenant-Governor is pleased to order the publication of the following English translation of the Himachal Pradesh Anivarya Prathmic Siksha Adhiniyam. The Himachal Pradesh Compulsory Primary Education Act. 1953, as passed

by the Himachal Pradesh Legislative Assembly, and assented to by the President on 9th April, 1954.

Act No. VII of 1954

The Himachal Pradesh Compulsory Primary Education Act, 1953

AN

ACT

to provide for the compulsory attendance of children at primary schools in the Himachal Pradesh

Preamble.—WHEREAS it is expedient to provide for the compulsory attendance of children at primary schools in the Himachal Pradesh;

It is hereby enacted as follows:

1. Short title, extent and commencement.—(1) This Act may be called the Himachal Pradesh Compulsory Primary Education Act, 1953.

(2) It extends to the whole of the Himachal Pradesh.

(3) It shall come into force at once.

2. Definition.—In this Act, unless there is anything repugnant in the subject or context—

(1) 'child' means a child whose age is not less than seven and not more than fourteen years;

(2) 'local authority' means a Gram Panchayat, a Tahsil Panchayat, a Zilla Panchayat, a Notified Area Committee, a Small Town Committee or a Municipal Committee;

(3) 'parent' includes a guardian or any person who has the actual custody, or is in charge, of a child;

(4) 'primary education' means such instruction in reading, writing and arithmetic, as may be prescribed for the time being for primary schools by the State Government and such instruction in other subjects, if any, as may be determined by the State Government or the local authority with the approval of the prescribed authority;

(5) 'prescribed' means prescribed by rules made under this Act;

(6) 'prescribed authority' means an authority notified as such by the State Government whether generally or for a particular purpose;

(7) 'recognized primary school' means a school or a department of a school in which instruction in primary education is given and which is for the time being recognized by the prescribed authority;

(8) 'route' means a motor road, a bridle path or a foot path;

(9) 'school committee' means a committee appointed under the provisions of section 5 of this Act;

(10) 'State Government' means the Government of the Himachal Pradesh;

(11) 'to attend a recognised primary school' means to be present for instruction at such school, on such days in the year, at such time or times, and for so many hours on each day of attendance, as may be fixed by the prescribed authority.

3. Issue of notification making primary education compulsory.—(1) The State Government may declare by notification that the primary education of male children shall be compulsory in any area.

(2) Where a notification issued under sub-section (1) is in force or at the time when a notification under sub-section (1) is issued, the State Government may issue a notification that the primary education of female children shall be compulsory in the whole or any part of the area to which a notification under sub-section (1) applies.

(3) A notification issued under this section shall specify the date from which, and the area or areas in which, primary education shall be compulsory and public notice shall be given of the notification in the prescribed manner.

(4) The Act shall not apply to such children who do not attend school and have attained the age of nine years or more on the date of issue of the notification under sub-section (1) or sub-section (2).

4. Condition precedent to the issue of notification.—A notification shall not be issued under section 3 unless the State Government is satisfied that adequate provisions will be made in recognised primary schools for such compulsory education free of charge.

5. Appointment of a school committee.—(1) Where a notification has been issued under section 3, the State Government shall appoint one or more committees for the purpose of exercising the powers and performing the duties of the school committee under this Act.

(2) It shall be the duty of such school committee to enforce the provisions of this Act respecting the attendance of children at school and the employment of children.

6. Duty of parents to cause children to attend school.—Where a notification under section 3 is in force in any area, the parent of every child to whom the notification applies shall, if such child ordinarily resides in such area, in the absence of a reasonable excuse as hereinafter defined, cause such child to attend a recognised primary school.

7. Meaning of reasonable excuse.—Any of the following circumstances shall be deemed to be a reasonable excuse within the meaning of section 6—

- (1) that there is no recognised primary school within a distance of two miles by the nearest route from the residence of the child;
- (2) that the child is certified by such authority as may be appointed in this behalf by the State Government to have completed a primary course as prescribed;
- (3) that the child has been granted temporary leave of absence from a school in accordance with the rules made under this Act;
- (4) that the child is certified by the school committee approved for this purpose by the prescribed authority to be unfit to attend school by reason of some bodily defect or infirmity;
- (5) that the school committee of the area has, on the application of a very old or diseased parent, exempted from compulsory attendance in a school, a child on whom lies the responsibility to attend upon such parent.

8. Issue of attendance order by the school committee.—Where the school committee is satisfied that a parent who is bound under the provisions of section 6 to cause the child to attend a recognised primary school, has failed to do so, the school committee, may after giving the parent an opportunity of being heard, and after such inquiry as it considers necessary, pass an order directing the parent to cause such child to attend a recognised primary school from a date which shall be specified in the order.

9. Penalty for failure to obey attendance order.—(1) Any parent against whom an order has been passed under section 8, and who, without reasonable excuse as defined in section 7, has failed to obey such order, shall, on conviction before a magistrate or a Nayaya Panchayat, be liable to a fine not exceeding five rupees.

(2) Any parent who having been convicted for an offence under sub-section (1) continues to disobey the order passed under section 8 shall be liable to a further fine which may extend to one rupee for every day after the date of the first conviction during which he has proved to have persisted in disobeying the order.

10. Penalty for employing child liable to attend primary school.—Any person who shall, during the prescribed hours of attendance at school, utilize on his own behalf or on behalf of any other person, in connection with any employment, whether for remuneration or not, the services of any child whose parent is required under this Act to cause him to attend a recognised primary school, shall, on conviction before a magistrate or a Nayaya Panchayat, be liable to a fine not exceeding twenty-five rupees.

11. Cognizance of offences.—No court shall take cognizance of an offence under section 9 or section 10 except on the complaint of or on information received from the school committee, or from such person as may be authorized by the school committee or by the State Government by general or special order in this behalf.

12. Compulsory primary education to be free of charge.—No fee shall be charged within the area in which a notification under section 3 is in force in respect of the primary education of any child to whom such notification applies.

13. Withdrawal of notification.—The State Government may, after reference to the local authority, cancel the notification issued under section 3.

14. Powers of State Government to make rules.—(1) The State Government may, after previous publication, make rules for the purposes of this Act.

(2) In particular and without prejudice to the generality of the power conferred by sub-section (1), the State Government may make rules—

- (a) prescribing under clause 4 of section 2 the range of instruction in primary schools;
- (b) determining generally what shall be considered to be adequate provision for compulsory primary education free of charge;
- (c) requiring the local authority to prepare and publish a register of children in the area concerned;
- (d) defining the conditions on which the State Government will bear a share or whole of the cost of providing primary education;
- (e) the manner in which the school committee shall be constituted, the number of its members and their duties, powers and responsibilities;
- (f) the steps which the school committee may take to secure attendance of children at school and the conditions under which leave of absence from school may be allowed;
- (g) the jurisdiction of each school committee where more than one school committees are appointed;
- (h) the relations to be observed between the school committee and any education committee of any local authority that may have been appointed under any other Act; and
- (i) the matters which are and may be prescribed.

CHET RAM,
Secretary.

भाग 4— स्थानीय स्वायत्त शासन : म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोर्टीफाइड और टाउन एरिया तथा पंचायत विभाग
शून्य

भाग 5— वैयक्तिक अधिसूचनाएं और विज्ञापन
शून्य

भाग 6— भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

Office of the Chief Electoral Officer

Election Commission, India

NOTIFICATION

Simla-4, the 3rd June, 1954

No. G-17-11 54.—Notification No. 83/54/9824, dated the 16th May, 1954, received from the Election Commission, India, New Delhi, is reproduced below for information.

INDAR SEN
Chief Electoral Officer.

NOTIFICATION

New Delhi, 16th May, 1954

No. 83/54/9824.—The Election Commission, in exercise of the powers conferred by clause (a) of sub-section (2) of section 81 of the Representation of the People Act, 1951, hereby appoints Shri K. S. Rajagopalan, Assistant Secretary, Election Commission, as an officer who may also receive Election Petitions presented in accordance with the provisions contained in Part VI of the said Act.

By order,
P. N. SHINGHAL,
Secretary.

अनुपूरक
शून्य